

Message Text

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ACTION SCSE-00

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FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 5174

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E.O. 11652: N/A

TAGS: CGEN, HO (CASTANO-FERNANDEZ, FRANCISCO)

SUBJECT: SEAMAN & SHIPPING: APPLICATION FOR ASSISTANCE BY DISTRESSED

SEAMAN

1. FRANCISCO CASTANO-FERNANDEZ, A SPANISH NATIONAL, REQUESTED EMBASSY'S ASSISTANCE CLAIMING TO HAVE BEEN SHIPWRECKED WHILE SERVING ON A US FLAG VESSEL. ACCORDING TO CASTANO HE LEFT MIAMI NOVEMBER 19 OR 20 AS A SEAMAN ON THE YACHT "WRIGHT BROS" OF MIAMI, OWNED AND CAPTAINED BY A NATURALIZED USC NAMED LUIS (LAST NAME UNKNOWN). THE CREW CONSISTED ONLY OF THE CAPTAIN, HIS USC WIFE, A HONDURAN SEAMAN AND HIMSELF. THE YACHT WAS DESTINED TO PANAMA TO LOAD LUMBER.

2. ON NOVEMBER 23 THE YACHT ALLEGEDLY SANK IN THE STRAITS OF YUCATAN AND ALL ABOARD TOOK SAFELY TO THE LIFEBOAT. AFTER TWO DAYS THEY WERE PICKED UP BY A NICARAGUAN FREIGHTER AND LEFT AT ROATAN, BAY ISLANDS, HONDURAS FROM WHERE CASTANO CAME BY HIMSELF TO TEGUCIGALPA REQUESTING HELP FIRST FROM THE SPANISH EMBASSY AND THEN FROM U.S.; THE SPANISH TAKING THE VIEW THAT AS HE SAILED ON A U.S. FLAG VESSEL WE HAD THE RESPONSIBILITY TO RETURN HIM TO MIAMI.

3. NO OFFICIAL REPORT OF THE ALLEGED WRECK HAS BEEN RECEIVED AND THE USC CAPTAIN, SUPPOSEDLY STILL ON ROATAN, HAS NOT CONTACTED THE EMBASSY. CONSOFF UNABLE VERIFY WHETHER VESSEL DID SINK, WHETHER VESSEL WAS U.S. DOCUMENTED, AND WHETHER CASTANO
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PROPERLY ENROLLED. ACCORDING TO CASTANO HE ENTERED MIAMI ON

BOARD TSS "CARNIVALE" OCTIBER 23, LEFT SHIP LOOKING FOR NEW BERTH AND WAS HIRED BY "LUIS", I-94 IN HIS POSSESSION SHOWS INS ACTION OCTOBER 23 REQUIRING HIS DEPARTURE PRIOR OCTOBER 26 ON YACHT "WRIGHT BROS". CASTANO CLAIMS HE SIGNED OFF "CARNIVALE" BUT SIGNED NO WRITTEN ARTICLES WITH "WRIGHT BROS" AND DID NOT REPORT TO COAST GUARD OR US SHIPPING AGENT, ONLY INS. HE HAS NO COAST GUARD MERCHANT MARINE ID. CLAIMS SPANISH MARINER'S BOOK AND PREVIOUS DISCHARGES SANK WITH YACHT.

4. EMBASSY HAS TAKEN INITIAL POSITION WITH CASTANO AND SPANISH EMBASSY THAT HE APPARENTLY NOT LEGALLY ENROLLED AS AMERICAN SEAMAN AND NOT SUBJECT TO OUR PROTECTION. HOWEVER, IN VIEW INEXPERIENCE HERE WITH SHIPPING AND SEAMEN MATTERS POST DESIRES DEPARMENT'S ADVICE WHETHER WE DO HAVE ANY RESPONSIBLITY TO CASTANO UNDER 7 FAM 540.
BECKER

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